REMARKS

Claims 1, 3-8, 12-24, 42-43 and 46-64 are pending. No claims have been amended, added or canceled. Applicant respectfully requests reconsideration and allowance of the application.

Claim rejections under 35 U.S.C. 102 (e) - Ginter et al.

Claims 1, 3-8, 12-24, 42-43 and 46-63 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication US 2004/0054630 to Ginter et al. (hereinafter "Ginter"). Applicant respectfully submits that claims 1, 3-8, 12-24, 42-43 and 46-63 are not anticipated by Ginter.

Ginter describes a system for secure transaction management and electronic rights protection. Ginter states:

> The present invention provides systems and methods for secure transaction management and electronic rights protection. Electronic appliances such as computers equipped in accordance with the present invention help to ensure that information is accessed and used only in authorized ways, and maintain the integrity, availability, and/or confidentiality of the information. Such electronic appliances provide a distributed virtual distribution environment (VDE) that may enforce a secure chain of handling and control, for example, to control and/or meter or otherwise monitor use of electronically stored or disseminated information. Such a virtual distribution environment may be used to protect rights of various participants in electronic commerce and other electronic or electronic-facilitated transactions. Distributed and other operating systems, environments and architectures, such as, for example, those using tamper-resistant hardware-based processors, may establish security at each node. These techniques may be used to support an all-electronic information distribution, for example, utilizing the "electronic highway." (Ginter, Abstract).

Claim 1 recites:

> A method for accessing status information related to a process, the method comprising:
>
> receiving a request from a client for status information related to the process;
>
> identifying nodes in a network, each of the nodes executing a distributed thread of the process;
>
> polling each identified node for status information associated with the thread executing by the node, the status information generated by a script associated with the process;
>
> receiving the status information from each of the nodes;
>
> storing the status information in a data structure; and
>
> enabling the client to access the status information.

Initially, Applicant points out that the penultimate and ultimate elements of claim 1, to-wit: "storing the status information in a data structure" and "enabling the client to access the status information" have not been addressed in the Office Action. An appropriate rejection under 35 U.S.C. section 102 requires that each and every element of a claim be demonstrated by a single reference. Furthermore, the Office is charged with a duty of providing specific excerpts within a reference that stand for each of the claimed elements.

The present rejection fails, on its face, due to this deficiency. An appropriate 102 rejection would cite excerpts from Ginter that are alleged to anticipate the final two elements of claim 1.

For at least this reason, the rejection of claim 1 should be withdrawn.

In addition to the foregoing, claim 1 requires the step of "receiving a request from a client for status information related to the process...." The Office Action refers

to paragraphs [205] and [675] of Ginter to demonstrate anticipation of this particular element.

Ginter paragraph [205] discloses user requests for clearinghouse information, such as additional credit, electronic currency, etc. Paragraph [675] discloses receiving service requests and routing the service requests to appropriate service providers.

The cited excerpts from Ginter do not disclose or anticipate a client request for *status information* that is *related to an executable process*. For this additional reason, claim 1 is allowable over the cited reference.

Furthermore, claim 1 recites "identifying nodes in a network, each of the nodes executing a distributed thread of the process...." The Office Action points to paragraphs [188], [896], [905-907] and [947-948] as anticipating this element. Paragraph [188] deals with accommodating different control schemes applying to different participants in a network. However, no mention is made of identifying nodes that are each executing a different part of a process.

Paragraph [896] discloses that "kernel/dispatcher 522 may poll each sections/circuits within the SPU 500 and emulate an interrupt for them." But this excerpt does not anticipate identifying nodes in a network that are involved in the execution of a single process.

In the only portion of paragraphs [905] through [907] that seems relevant to claim 1, Ginter states that the kernel/dispatcher 522 may periodically poll a power fail bit in a status word. However, this does not disclose or anticipate identifying nodes as required by claim 1.

Paragraphs [947] and [948] of Ginter states that the Authorization Manager/Service Communications Manager may also support secure server

communications between SPE 503 and an external node or device. This does not

anticipate identifying network nodes that execute a thread of a process.

Claim 1 also recites "polling each identified node for status information

associated with the thread executing by the node, the status information generated by a

script associated with the process." Ginter does not disclose or anticipate this element.

Ginter describes a polling mode in an apparatus and performing polling by a

kernel/dispatcher. (See Ginter, paragraphs 0896 and 0907 and FIG. 13). However, the

polling described in Ginter is performed on components within an apparatus, and not

polling multiple nodes in a network for status information related to a multi-threaded

process. Thus, the polling described by Ginter is not equivalent to the polling recited in

claim 1.

For at least the above-identified reasons, applicant respectfully submits that

claim 1 is not anticipated by Ginter and is allowable. Given that claims 3-8 and 12-24

depend from claim 1, claims 3-8 and 12-24 are also allowable for at least the same

reasons.

Claims 3-8 and 12-24 depend from claim 1 and are allowable at least by virtue

of that dependency. Accordingly, the rejection of these claims should be withdrawn.

Claim 42 recites:

> A system comprising:
> a process management system executing on a primary node in a network,
> the process management system configured to collect status information
> associated with a process, the processing management system also configured
> to divide the process into multiple threads and distribute the threads to multiple
> remote nodes in the network, the process management system further
> configured to receive the status information associated with the threads from
> each remote node and store the status information in a data structure accessible
> by any node with authorized access to the process management system; and

the remote nodes in the network, each remote node processing at least one of the threads associated with the process and including a script configured to provide the status information collected by the process management system.

As discussed above, Ginter describes components that communicate with one another to control and distribute content, the use of scripts in the operating system code for metering and transaction management, and polling components within an apparatus. However, nothing in Ginter describes distributing threads of a process to multiple nodes and gathering status information associated with the process from these nodes. Accordingly, Ginter fails to disclose or suggest the process management system, the remote nodes, and their interactions, as recited in claim 42.

For at least the above-identified reasons, applicant respectfully submits that claim 42 is not anticipated by Ginter and is allowable. Accordingly, the rejection of claim 42 should be withdrawn.

Claims 43 and 46-63 depend from claim 42 and are allowable at least by virtue of that dependency. Therefore, the rejection of these claims should also be withdrawn.

Claim 64 recites an apparatus that includes: (1) "means for receiving a request from a client to initiate a process"; (2) means for dividing the process into multiple threads"; (3) means for distributing the threads to multiple nodes in a network for execution"; (4) means for polling each node for status information generated by a script executing in the node"; (5) "means for receiving the status information from each of the nodes"; (6) "means for storing the status information in a data structure"; and (7) "means for enabling any node with authorization to access the status information."

The Office Action references previous claims and the rejections related thereto to demonstrate that Ginter anticipates claim 64. Applicant respectfully disagrees. As previous shown in the responses to the rejections of previous claims, Ginter does not

disclose or anticipate (among other things) dividing a process into multiple executable threads and distributing the threads to different nodes in a network that are responsible for executing the threads. Neither does Ginter disclose polling the nodes for status information on the execution of the threads or storing status information received in response to the polling in a data structure that is accessible by each node of the network.

For at least these reasons, Ginter does not disclose or anticipate the elements recited in claim 64. Accordingly, claim 64 is allowable over the cited reference and the rejection thereof should be withdrawn.

CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the cited references and that all the rejections to the claims have been overcome. Reconsideration of the above Application is requested. Based on the foregoing, Applicants respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this response, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

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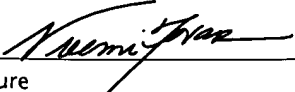Attorney for Applicant
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